



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,992	11/21/2001	Akira Fukushima	500.40882X00	9695

20457 7590 12/28/2004

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER

LAM, HUNG H

ART UNIT	PAPER NUMBER
----------	--------------

2615

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,992

Applicant(s)

FUKUSHIMA, AKIRA

Examiner

Hung H. Lam

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 6, 7 and 9-12 is/are allowed.
- 6) ☒ Claim(s) 5, 8 and 13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

4. The disclosure fails to state or teach one of ordinary skill in the art how the "synthesis unit selects said short-time exposure video signal for said second area". Thus, one skilled in the art cannot make or use the claimed invention. It is noticed that the specification only discloses a plurality of predetermined areas, which use a long exposure video signal.
-

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2615

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. Claims 5 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 5 and 13 recite the limitation "said lens". There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

8. Claims 5, 8 and 13 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

9. Claims 1-4,6,7 and 9-12 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach or fairly suggest:

Regarding independent claim 1, " an iris control apparatus of a television camera comprising: a detection unit for detecting a first and a second area, each of which has a different luminance level of said long-time exposure video signal; a weighting unit for applying different weighting to said long-time exposure video signals of said first and second areas, respectively; and a control unit for controlling an iris of a lens, through

which said light beams are applied to said solid state image pickup device, in response to said weighted long-time exposure video signal." in combination with other elements.

Regarding independent claim 6, "a television camera comprising: a detection unit for detecting a first and a second area, each of which has a different luminance level of said long-time exposure video signal; a weighting unit for applying different weighting to said long-time exposure video signals of said first and second areas, respectively; a synthesis unit for synthesizing said long-time exposure video signal and said short-time exposure video signal; and a control unit for controlling said iris of said lens in response to said weighted long-time exposure video signal." in combination with other elements.

Regarding independent claim 9, "an iris control method of a television camera comprising the steps of; c) detecting a first and a second area each of which has a different luminance level of said long-time exposure video signal; d) applying different weighting to said long-time exposure video signals of said first and second areas, respectively; and e) controlling an iris of a lens, through which said light beams are applied to said solid state image pickup device, in response to said weighted long-time exposure video signal." in combination with other elements.

Regarding claims 2-4, 7 and 10-12, the claims are allowed as being dependent of claims 1, 6 and 9, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Hashimoto (US-5,694,167) discloses an image pick up device using transfer register in parallel with rows of light receiving cells to carry out the short and long exposure operations continuously.

b) Miyazaki (US-5,184,172) discloses a method of and apparatus for automatically following the high luminance target and weighting maximum weighted value to control the iris.

c) Imaide et al. (US-4,959,727) disclose an image pick-up apparatus for setting the exposure time to either one of a normal or a long exposure time.

d) Horiuchi (US-6,825,884) discloses an imaging processing apparatus for generating a long and short exposure time in a wide dynamic range image.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung H. Lam whose telephone number is 703-305-8143. The examiner can normally be reached on Monday - Friday 8AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, NGOC YEN VU can be reached on 703-305-4946. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HL

12/14/04


NGOC YEN VU
PRIMARY EXAMINER